

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DENYS IARMAK

Defendant.

No. CR19-257-RSM

**COMBINED MOTION FOR
ENTRY OF A PRELIMINARY
ORDER OF FORFEITURE AND
ORDER OF FORFEITURE**

NOTE ON MOTION CALENDAR:
April 1, 2022

I. MOTIONS

The United States, by and through its undersigned counsel, moves pursuant to Federal Rule of Criminal Procedure (“Fed. R. Crim. P.”) 32.2(b) for entry of:

1. A Preliminary Order of Forfeiture, forfeiting proceeds of, and property that facilitated, the Conspiracy to Commit Computer Hacking, as charged in Count 16, in violation of 18 U.S.C. § 371, pursuant to 18 U.S.C. § 982(a)(2)(B) and 1030(i); and

2. An Order of Forfeiture, forfeiting a sum of money in the amount of \$100,000 representing proceeds the Defendant personally obtained as a result of the Conspiracy to Commit Wire Fraud, as charged in Count 1, in violation of 18 U.S.C. § 1349, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

1 **A. Motion for a Preliminary Order of Forfeiture**

2 The United States moves for a Preliminary Order forfeiting, to the United States,
3 Defendant Denys Iarmak's interest in the following property ("Subject Property"):

- 4 1. One (1) laptop identified as FBI evidence item 1B222;
- 5 2. One (1) silver Dell XPS laptop, bearing no. 2RR74H2, with charger,
6 identified as FBI evidence item 1B208;
- 7 3. One (1) black Xiaomi A1 cell phone, with a note labeled "password:
8 19871988", identified as FBI evidence item 1B207;
- 9 4. Two (2) Sandisk Micro Chip 16 GIGABYTE Motorola MicroSD cards,
10 identified as FBI evidence item 1B206;
- 11 5. One (1) Sandisk 32 GIGABYTE thumbdrive, identified as FBI evidence
12 item 1B205;
- 13 6. One (1) black Xiaomi A2 cell phone, with a note labeled "password:
14 007700", identified as FBI evidence item 1B204;
- 15 7. One (1) Sandisk Cruzer Blade 64 GIGABYTE thumbdrive, identified as
16 FBI evidence item 1B203; and
- 17 8. One (1) phone/laptop charging cord, identified as FBI evidence item
18 1B202.

18 **B. Motion for an Order of Forfeiture**

19 The United States moves for an Order of Forfeiture, forfeiting, to the United
20 States, Defendant Denys Iarmak's interest in the following property:

- 21 • A sum of money in the amount of \$100,000 representing, in part, the
22 proceeds the Defendant obtained as a result of Conspiracy to Commit Wire
23 Fraud, in violation of 18 U.S.C. § 1349.

24 The Defendant has acknowledged this sum of money is separate and distinct from
25 the restitution that is ordered in this case.

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1 **II. LEGAL AND FACTUAL BASIS FOR MOTIONS**

2 These motions are based on the following procedural facts, which are reflected in
3 the pleadings filed and docket entries made in this matter.

4 On November 22, 2021, the Defendant entered pleas of guilty to Conspiracy to
5 Commit Wire Fraud, as charged in Count 1 of the Indictment, in violation of 18 U.S.C.
6 § 1349, and to Conspiracy to Commit Computer Hacking, as charged in Count 16, in
7 violation of 18 U.S.C. § 371. Dkt. No. 42. The Defendant agreed in his Plea Agreement
8 to forfeit his interest in the Subject Property identified as items 1-8, above, pursuant to
9 18 U.S.C. §§ 982(a)(2)(B) and 1030(i), each of which constitutes or is derived from
10 proceeds of, and/or facilitated his commission of the Conspiracy to Commit Computer
11 Hacking, as charged in Count 16. *Id.*, ¶ 9. In his Plea Agreement, the Defendant
12 additionally agreed to forfeit the above-identified sum of money in the amount of
13 \$100,000 representing proceeds he personally obtained from his commission of
14 Conspiracy to Commit Wire Fraud, as charged in Count 1, pursuant to 18 U.S.C.
15 § 981(a)(1)(C) and 28 U.S.C. § 2461(c). *Id.*

16 To comply with the timing requirements of Fed. R. Crim. P. 32.2(b)(2)(B), the
17 United States now moves for entry of a Preliminary Order of Forfeiture, forfeiting
18 Defendant's interest in Subject Property, and an Order of Forfeiture, forfeiting the
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1 Defendant's interest in the sum of money in the amount of \$100,000 representing
2 proceeds. A proposed Preliminary Order of Forfeiture and a proposed Order of
3 Forfeiture are submitted with this motion.
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5 DATED this 21st day of March, 2022.
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7 Respectfully submitted,

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